

### REMARKS

This Application has been carefully reviewed in light of the Office Action mailed on August 12, 2004 ("Office Action"). Claims 23-42 are pending in the application and were rejected by the Office Action. Applicant amends claims 23, 30, 32 and 40, and adds new claims 43 and 44. Applicant respectfully requests reconsideration and favorable action in this case.

#### Double Patenting Rejection

The Office Action rejects claims 23-42 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-22 of U.S. Patent No. 6,721,652. Accompanying this Response is a Terminal Disclaimer signed by Applicant's attorney. Applicant respectfully requests that the double patenting rejection be withdrawn.

#### Section 103 Rejections

The Office Action rejects claims 23-28, 32-33, 35-37, and 39-42 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,581,005 to Watanabe et al. ("*Watanabe*") in view of U.S. Patent No. 5,270,937 to Link et al. ("*Link*"). The Office action rejects claims 29-31, 34, and 38 under 35 U.S.C. § 103(a) as being unpatentable over *Watanabe* in view of *Link* and further in view of U.S. Patent No. 5,541,845 to Klein ("*Klein*"). Applicant respectfully traverses these rejections and asserts that *Watanabe*, *Link*, and *Klein* (whether individually or in combination) fails to teach, suggest or disclose various aspects of claims 23-43.

For example, *Watanabe* and *Link*, as well as *Klein*, fail to teach, suggest, or disclose "rotating at least one of the polygons such that at least one edge of each rotated polygon is parallel with an axis of the coordinate system" as recited, in part, by amended independent claim 23. In contrast, *Watanabe* teaches that its polygons follow the direction of the road. See *Watanabe*, 18:27-30. Indeed, *Watanabe* discusses that the traveling link generation unit generates links based on the road segments and the road joint. See *id.* 18:48-56. Moreover, *Watanabe* teaches that the vehicle location is compared to road shape data, which is represented by the polygons. See *id.* 22:17-34. In other words, *Watanabe* seems to teach that a polygonal

travel link is generated using the road, including the road's shape and joints, and that the vehicle location is compared to the road's shape and other attributes based on the polygons. There appears to be no teaching in *Watanabe* of any modification, variation, or other interpretation of the polygons.

*Link* and *Klein* fail to account for the deficiencies of *Watanabe*. For at least this example reason, *Watanabe*, *Link*, and/or *Klein* fail to disclose, teach, or suggest "new elements" as recited, in part, by independent claim 23.

For analogous reasons, Applicant respectfully asserts that *Watanabe*, *Link*, and/or *Klein* fail to teach various limitations of independent claims 32 and 40. For at least these reasons, Applicants respectfully request reconsideration and allowance of independent claims 23, 32, and 40 and all claims depending therefrom.

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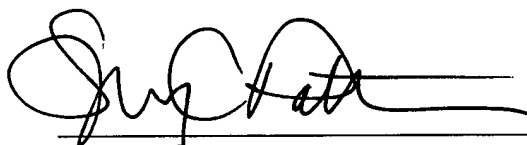
Attorney's Docket No.: 14012-022002 / 72-04-036

### CONCLUSION

Applicant has now made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicant respectfully requests full allowance of all claims. If the present application is not allowed and/or if one or more of the rejections is maintained, Applicant hereby requests a telephone conference with the Examiner and further requests that the Examiner contact the undersigned attorney to schedule the telephone conference.

Please charge the \$36.00 fee for two additional dependent claims and the \$110.00 fee for the Terminal Disclaimer to deposit account 05-0765. Please apply any other charges or credits to deposit account 05-0765.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Spencer C. Patterson', written over a horizontal line.

Spencer C. Patterson  
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